

STATE OF WISCONSIN : MUNICIPAL COURT : MILWAUKEE COUNTY

STATE OF WISCONSIN,

Plaintiff,

vs.

SALVATORE GAGLIANO,

Defendant.

D-2770

1st Count:
WAUPUN - 7 YEARS

2nd Count:
WAUPUN - 2-14 YEARS

(Concurrently)

November 17, 1941.

Before the
HON. HENRY P. HUGHES,
Acting Municipal Judge, pre-
siding, and a Jury.

CHARGE: CARNAL KNOWLEDGE AND ABUSE and
PANDERING.

Appearances:

HERBERT J. STEFFES, District Attorney, for
the State.

CHARLES J. KERSTEN, Assistant District At-
torney, for the State.

JAMES D. SAMMARCO for the Defendant.

DEFENDANT in Court.

(INDEX - PAGES 2 - 3)

I N D E X

<u>STATE</u>	<u>Page</u>
Gloria Eichstäedt	9
(Recalled)	116
John J. Tyson	151
Philip Westphal	163
Officer Eugene Netz	164
Officer George Hanlon	174
(Recalled)	186
(Recalled)	461
Gail Stuart	191

<u>DEFENSE</u>	
Bernard J. Prasher	205
John W. Claussen	209
Isador Eisen	214
Christ Constance	218
Robert Bundy	231
(Recalled)	252
Mrs. Elsie Wood	237
(Recalled)	273
Miss Frances Detmar	242

I N D E X (Continued)

Robert Terriš	244
(Recalled)	398
Erv Ciscęski	246
Mrs. Dolores Gagliano	247
Mrs. Santa Gagliano	251
Nick DuLaveris	256
(Recalled)	390
Leona Goldine Eichstaedt	259
Mrs. Ella Claussen	274
Salvatore Gagliano	277
(Recalled)	308
Mrs. Mary WOOD	400

REBUTTAL

Jerry Nolan	401
(Recalled)	436

SUR-REBUTTAL

Gloria Eichstaedt (Recalled)	457
Salvatore Gagliano (Recalled)	458

Defendant files in writing motion for continuance, and an amended affidavit and demand for bill of particulars.

Motions argued by counsel.

Motions denied by Court.

Jury duly impaneled and sworn to try the issues.

(Recess taken until 2 o'clock P.M.)

November 17, 1941, 2 P.M.

Trial resumed.

Parties appearing as heretofore noted.

Defendant in Court.

(The following proceedings not in the presence of the Jury):

MR. KERSTEN: If your Honor please, the State in this case will attempt to show that on or about May 2nd the defendant drove the prosecutrix, Gloria Eichstaedt, from Milwaukee up to the vicinity of Sheboygan Falls, and there placed her in a house of prostitution and there-after visited her about four times, more or less, and procured moneys from her up there, and then around the end of May a quarrel ensued between the defendant and the prosecutrix, whereby she stated she would not pay him any more money, and the next day she

came down to Milwaukee with the mistress of this house.

Maxine, and her husband, and here in Milwaukee at a tavern the arrangement was made that by paying the defendant \$150.00 she would be free of him, as the evidence will have it, as her "pimp", as the language and evidence will indicate. That, briefly, is the transaction of the State, I believe the defense may try to show previous unchastity of the prosecutrix, I suppose on the question of the carnal knowledge charge, but if that is the purpose or intention of the defense, our position on that is this: If this defendant is found guilty by the jury, the State will desire to have the court know all of the previous unchasteness of this prosecutrix for the purposes of sentence, if he is found guilty, but we do not think on the issue of carnal knowledge previous unchasteness is a proper subject matter to come before the jury, and as a citation for that proposition I would like to have the Court read the case of Cleveland vs. State, 211 Wisconsin 565 at 570.

THE COURT: How would that be material on either count?

MR. KERSTEN: It is not material on either count, is our position, except if he is found guilty on the carnal knowledge charge it would be material

on the question of punishment, and I think that case so holds, but it is not material on the issue involved.

THE COURT: For the purposes of the record, then, I take it you are willing to stipulate in the event the defendant is found guilty the Court may consider the girl guilty of previous unchaste character.

MR. KERSTEN: Yes, and I think it is our duty to call it to the Court's attention.

THE COURT: With that stipulation in the record on the part of the State, you now feel it would be immaterial to disclose that to the jury?

MR. KERSTEN: That's right.

THE COURT: And unnecessary to disclose it for any purpose?

MR. KERSTEN: That's correct. This case briefly reads as follows on that point, in the Cleveland case: "While the chastity of a prosecutrix in a prosecution for statutory rape ordinarily is immaterial since she is incapable of consenting to intercourse, we think the facts revealed by the doctor's examination should have been brought to the attention of the court below to the end that such facts might have been given consideration in determining the sentence to be imposed."

THE COURT: Do you disagree with that position?

MR. SAMMARCO: Yes, I disagree with the case of Cleveland vs. State for the reason I agree it is immaterial as far as statutory rape is concerned, because of the fact you don't need to consent, but that might benefit us, by way of showing the girl's mentality, to show possible impeachment of the girl's testimony.

THE COURT: What year was the Cleveland case tried in?

MR. KERSTEN: 1933. The citation that Justice Nelson refers to in the Cleveland case is 52 Corpus Juris, page 1083, a rather pointed note in that record.

THE COURT: Well, how can it make any difference? Suppose this girl--it certainly would not tend to show--to reflect on her veracity, necessarily.

MR. SAMMARCO: I am willing to accept the Court's decision, but I am not going to stipulate anything.

MR. KERSTEN: I am not asking for a stipulation.

THE COURT: With that understanding then, in the course of the trial we will not receive any evidence--

MR. SAMMARCO: Oh, no, I will attempt to

submit evidence and the Court may overrule me.

THE COURT: That will not be tolerated by the Court, because that would be getting it before the jury indirectly. You can offer it in the absence of the jury and the court rule on it in the absence of the jury. It would be idle for the Court to rule it out. If that offer is made, that will not be made before the jury.

(Mr. Kersten reads the citation referred to, 52 Corpus Juris, Page 1083)

THE COURT: The stipulation that the Court asked counsel for the State to make and that counsel expressed a willingness to make, is that for the purpose of the record at this time and upon the only point it is material on at any time, namely, that of sentence in the event the jury finds the defendant guilty, the State now stipulated in advance of offering any testimony that the girl may be considered by the Court as unchaste before meeting the defendant.

MR. KERSTEN: That's right.

THE COURT: And that is for the purpose of making it unnecessary for the defendant to offer proof to that effect.

MR. SAMMARCO: All right.

THE COURT: Which might be prejudicial if offered in the presence of the jury.

MR. SAMMARCO: All right.

MR. KERSTEN: That is my point, your honor.

MR. SAMMARCO: I assume, your Honor, the ordinary rule of impeachment of witnesses will apply in this case.

THE COURT: Yes.

MR. SAMMARCO: And if the defendant offers to impeach the testimony of Gloria Eichstaedt, we may do so by proper evidence.

THE COURT: Do you intend to come back to the point that you made before?

MR. SAMMARCO: No, sir.

THE COURT: The regular rules will apply to this case. The Court has no option on that. The Court is bound by rules of evidence, as well as counsel for both sides.

(Jury brought in.)

Opening statement by Mr. Kersten.

Mr. Sammarco reserves opening statement until after State's case has been put in.

GLORIS EICHSTAEDT, being first duly sworn,
testified as follows:

DIRECT EXAMINATION BY MR. KERSTEN:

Q Your name is Gloria Eichstaedt?

A Yes, sir.

Q When were you born, Gloria?

A February 21st, 1926.

Q You are now fifteen years of age?

A Yes, sir.

Q Next February, 1942, you will be sixteen, is that right?

A Yes, sir.

Q Up until sometime the middle or latter part of April of this year you were in a foster home, is that right?

A Yes.

Q How long had you been in this foster home?

A From October until April 13th.

Q From October of 1940?

A Yes, sir.

Q You have separated from your mother for how long?

A I haven't seen her for quite awhile.

Q For how long?

A For about two years, something like that. I have seen her off and on.

THE COURT: He means, how long have you lived apart?

A I was taken away from her when I was 12.

BY MR. KERSTEN:

Q. You don't know where your father lives?

A. No, sir.

Q. Have you ever seen your father?

A. No, sir.

Q. Now, on May 1st of this year, or rather the early morning of May 2nd, around 2:30 or thereabouts, A.M.---

MR. SAMMARCO: That's objected to as leading. She is intelligent enough to be able to answer questions, I hope.

MR. KERSTEN: You are right. I will withdraw the question.

Q. On May 2nd of this year---

THE COURT: I would like to say when we are starting this that I would like counsel to make their objection. If the Court wants any argument he will ask for it, and in the absence of a request for argument you can presume the Court will understand the basis of your objection, and we won't have to have comment.

BY MR. KERSTEN:

Q. On May 2nd of this year, will you state whether or not you met this defendant?

A. I did, sir.

Q. About what time was that?

A. About 2:30 in the morning.

Q Where was that?

A At Du Laveris Bar.

Q What was the extent of your conversation?

A We just were introduced casually, and I said "Hello", and then he had to leave.

Q This defendant left, is that it?

A Yes.

Q There was no conversation that you had of any kind?

A No, sir.

Q Until 2:30 A.M., May 2nd?

A Yes, sir.

Q Did you meet the defendant after that sometime?

A Yes, I saw him again that night at 9:30 at DuLaveris Bar.

Q 9:30 of May 2nd?

A Yes, sir.

Q Did you talk with him?

A Yes, I did.

Q Now, Gloria, give us the full conversation as exactly as you can remember it, at that time, with the defendant.

A I was sitting at one end of the bar and Teddy came over and talked to me.

Q By "Teddy" you mean the defendant?

A Yes.

Q He is known, in addition to the name Salvatore Magliano, as "Teddy Capp"?

A That's right. He came over and talked to me and wanted to know why I was hanging around taverns and why I didn't get a job and make myself some money, and he told me he knew where he could get me a job. And he went back to the other end of the bar, waited on some customers, came back, and asked me if I would go to the Jackson Hotel with him, because he intended to meet some friends and we could talk about this job, and I told him "Yes", and "Thanks", that I would go there to the Jackson with him.

Q Did you go?

A Yes, sir, we went in a cab.

Q Where is the Jackson Hotel?

A On Jackson Street. That's all I know about the location.

Q On the near East Side, on Jackson Street?

A Yes.

Q Tell us now what happened when you got to the Jackson Hotel building?

A He dismissed the can and walked in, and then he called me in and we went upstairs to a room in the hotel.

Q He walked in, did he?

A Yes.

Q. When he called you in, where was he?

A. Standing right by the door. He came to the door and called me in.

Q. How long after he parted from your immediate presence there was it he called you in?

A. Just a few seconds, sir.

Q. Will you state whether or not he got inside of the hotel lobby or not?

A. I couldn't say. I wasn't looking when he walked in.

Q. At any rate he called you in?

A. Yes.

Q. When you walked in, tell us exactly what took place.

A. Where did you go?

A. We walked up the stairs to a room.

Q. Do you remember what floor that was on?

A. No, sir, but I know it was not the first floor, I know it was past the first flight of stairs.

Q. How did you get up on the upper floor?

A. We walked up the stairs.

Q. Not on an elevator?

A. No, sir.

Q. Where did you go?

A. To a room in the hotel.

Q. Can you describe that room for us in any way, what kind of a room was it?

A It was quite an ordinary room, it had a davenport and several chairs and a table with drop-leaves, and there was a hall went out from the room, and a door going into a bathroom, and a door led to a closet, and there was one door when you opened it it was a little stove, so it was like a little kitchenette in there.

Q Will you tell the jury everything that happened in that room?

A When we got in there, the first thing I looked for was the friends, but they were not there. He said they should be along shortly, so I asked him again what kind of a job it was. He said he would tell me later on. A little while went by and he came over and sat by me and resently we had sexual intercourse, and afterwards we waited for a little while again, and he said: "Well, if they aren't coming soon, we will have to go to the Belmont Hotel," so he called a cab and we went to the Belmont.

Q How long would you say you were in the room all told?

a About an hour.

Q How long did the act of sexual intercourse take, to your best judgment? Did that take the greater part of the time or not?

A No, sir.

Q Where did that act take place in the room?

A On the davenport.

Q You understand what that term means, "sexual intercourse"?

A Yes, sir.

Q You say you went over to the Belmont?

A Yes, sir.

Q By cab?

A Yes, sir.

Q Who was in the cab?

A Teddy and I and the driver.

Q When you got to the Belmont Hotel, what happened?

A We went into the lobby and I was introduced to several of his friends, Nick Gentilli, Nick Machi, and Duffy and Fazio.

Q This Jackson Hotel you told me about is located in the County of Milwaukee, State of Wisconsin, isn't it?

A Yes, sir.

Q Did you ascertain at this time or any time later how old the defendant was?

A No, sir, I am not very good at judging ages and I didn't really notice how old, and he was--I knew he was older than I, though.

Q Now, you said you met Louis Fazio, Nick Gentilli, Nick Machi?

A Yes.

Q And a man they call Duffy?

A Yes.

Q Do you recall any conversation there in the lobby of the Belmont?

A No, I was sitting in the chair and Teddy talked to the fellows, and then he called me over to the fellows and introduced me to them. I didn't hear any conversation that went on.

Q The Belmont is located where?

A Fourth and Wells.

Q How long would you say you stayed at the Belmont, about?

A Ten minutes.

Q Then what did you do?

A Louis Fazio and Duffy and Teddy and I walked outside, and Duffy's car was standing out in front, and Louis and Duffy got in the front seat and Teddy and I in the back seat.

Q In other words, Gentilli and Machi didn't go in the car?

A No, sir, they stayed in the hotel.

Q But Louis Fazio and Salvatore Gagliano and Duffy and you went into the car?

A That's right.

Q Now, tell us what happened in the car.

A I asked them where they were taking me. They said they

were taking me somewhere near Plymouth, and I asked what kind of a job it was, and they kept putting it off and told me they would tell me later on.

Q What time would you say it was when you left the Belmont Hotel?

A About five to 12:00 or 12:00 o'clock.

Q You mean midnight?

A Yes.

Q That would be midnight of May 2nd, wouldn't it?

A Yes, sir.

Q In other words, you got into the car, and how long after you got into the car did the car start to drive away?

A Almost immediately.

Q In other words, there were three men and you?

A That's right.

Q No other girls?

A No, sir.

Q Do you recall anything about the route you took out?

Which way you went out of town?

A No, it was very late at night and I couldn't see.

Q You were in the back seat?

A Yes.

Q Tell us all you can recall of the conversation or any happenings in the car from the time you left the Belmont

until you arrived at your destination?

A When we got into the car I asked them where they were taking me. They told me somewhere near Plymouth.

I asked them again what kind of a job it was, and they said they would tell me later on.

MR. SAMMARCO: I would like to have the term "they" told me confined to the particular person made the remark.

THE COURT: Give the names of those that told you instead of relating "they" told you, as you go along.

A Anyway, we had driven quite a ways and I asked Teddy what kind of a job this was, and he said he would tell me later on, and we had drive further yet and I asked them again, I asked everybody, but I didn't speak to anybody in particular, but Louis Fazio turned around from the front seat and said I was going to be A HUSTLER AND THEY WERE TAKING ME TO A JOINT. I told him I didn't know what that was, and they just laughed and no more was said about it.

Q Any other conversation you can recall?

A No, sir, not anything that was important.

Q Where did the car finally come to a stop?

A At Mazine's Old Colony Club.

Q Where is that?

A About a mile west of Sheboygan Falls.

Q Could you give us your best judgment as to what time it was when you got there?

A Somewhere's between 3:00 and 5:00 in the morning.

Q Tell us all that happened when you got there, while the defendant was present.

A We all went into the back way and went to the kitchen, and I was introduced to Gail and the rest of the girls.

Q Gail?

A The straw boss.

Q The name you mentioned, "Gail", was that it?

A Yes.

Q Who was Gail?

A The straw boss. She took care of the place when Maxine wasn't there.

Q She was a girl there?

A Yes, she was a woman.

Q Who else was there?

A About five or six other girls.

Q Do you recall the names of the other girls?

A Jerry Nolan, and Italian Bobby--I don't remember all of them because some of them left shortly after I came there.

Q Was there any conversation that you can recall between yourselves when the three men got there, between any

of the men and you girls, in your presence?

A No, we were just introduced and they told the girls I was going to work there.

Q Who told the girls?

A Louis told them and Teddy told them. You see the girls Louis didn't know, Teddy knew, and the girls Teddy didn't know, Louis knew, so between the two of them I got introduced.

Q Were you able to ascertain or can you state what conversation there was there at that time that makes you say Teddy knew some of the girls?

A He introduced me to some of them.

Q Who did he introduce you to?

A A Hungarian girl named Ann, and another girl.

Q Do you recall her name?

A Tiny.

Q Just what did he say?

A He just said: "Tiny, this is Irish; Irish, this is Tiny; Ann, this is Irish, and Irish, this is Ann."

Q You used the name "Irish"?

A Yes.

Q What did Teddy say about your working there?

A He didn't say anything, but before he left, when he walked out the door, he said: "I'll come back and see how you are getting along." That's all he said.

Q How long would you say these men stayed there from the time you arrived until the time they left?

A Only about twenty or twenty-five minutes, long enough to introduce me and have a cup of coffee.

Q Was there some coffee served?

A Yes, the girls were eating lunch when we came there.

Q To whom was the coffee served?

A To Louis, Duffy, Teddy and I.

Q The four of you?

A Yes.

Q Where was that served?

A In the kitchen.

Q Beside the four had just come up, do you recall who was in the kitchen?

A Yes, all of the girls and Gail.

Q Do you recall any conversation while the coffee was being served?

A No, it wasn't anything to remember; it wasn't anything about the kind of work. The girls were doing most of the talking.

Q Where were you at the time the defendant made this remark, that he would come up and see how you were doing?

A I was letting him out the back door.

Q After he left, what did you do?

A I went upstairs to bed.

Q What kind of a building is this place you said was called "Maxine's Old Colony Club"?

A It's a white building and has sort of a garage a little distance away from the house, and there is a river in the back and it has two porches on the front and on the side, and it is set back quite a few feet from the roadway.

Q What road is it on?

A Highway 23, I think.

Q Which direction from Sheboygan Falls?

A West.

Q How far west?

A About a mile.

Q What kind of a building is it, as to whether or not it is a residence type of building?

A I hardly think it would be a residential home, after I looked at it in the daylight, because it had a white fence with crosses in it and a sign over the top that said--it was sort of a dim now, but I think it used to say "Old Colony Tea Room".

MR. SAMMARCO: That's all objected to as incompetent testimony and being her own conclusion as to what it is.

THE COURT: Objection overruled.

BY MR. KERSTEN:

Q How many floors are there?

A Two and the basement.

Q Is there any kind of main room as you enter the door?

A It all depends. If you come in the front door there is a little hall and stairs going up, and on either side of the hall is a parlor, and if you go in the back door you walk right into a parlor. There are three of them.

Q by "parlor" what kind of a room is that that you go in through the back door?

A It is like a living room in an ordinary home, has an Orthophonic Playboy, like a juke box.

Q A record machine plays records?

A Yes.

Q These parlors upstairs, what kind of rooms are they?

A They are not parlors; they are bedrooms upstairs.

Qq Is there any room similar to a dining room for the general public there in the place?

A Well, I don't know what you mean. If you mean places we eat---

MR. SAMMARCO: That's objected to.

THE COURT: Your objection is overruled.

BY MR. KERSTEN:

Q Just describe the entire lay-out on the first floor,

on the second floor as best you can, just tell us the general lay-out.

A When you get in the front door is a hall, and when you go into the hall there are stairs leading to the upstairs of the building, and if you go to your left there is a parlor and to your right is a parlor, and if you go through this parlor you come to--when you go to your right you come to another parlor and out of that to the back door. If you come to the very back door, the one used by the girls if they go outside, you get into a hallway where you have a cigarette machine, and then there is a parlor private for the girls, and sometimes if the customer is well-known, he goes back there, too, and if you come out of the parlor you come in the kitchen, and there is a door that opens to a bedroom on the downstairs floor, and that's where the janitor sleeps, and downstairs is a basement and upstairs there are five bedrooms. When you come in the front door you come to two, and when you get into the middle parlor and go up those stairs there are three bedrooms--no, two, only four bedrooms, two to each stairway.

Q Did you have a room in this place?

A Yes.

Q Where was that, what floor?

A On the second floor.

Q Anybody with you in the room that first night?

A No, sir.

Q Anybody staying there?

A No.

Q What time did you get up the next day?

A About two o'clock in the afternoon.

Q When did you meet Maxine?

A That afternoon when I got up.

Q Who is Maxine?

A The keeper of the Old Colony Club.

Q This place you described?

A Yes.

Q What did you then do after you got up?

A I got dressed and came downstairs, and Maxine told me---

Q Just a minute. Counsel can object rightfully to a conversation you had with anybody out of the presence of the defendant. Now, tell us just what you did.

A I got up and got dressed and washed and came downstairs and I was introduced to Maxine.

Q After that what did you do?

A Went in to Sheboygan.

Q With whom?

A. Maxine.

Q. Who did you see in Sheboygan?

A. Dr. Van Zanten.

Q. Did you get any kind of prescription or medication or medicine?

MR. SAMMARGO: That's objected to as leading and suggestive.

THE COURT: Objection is overruled.

A. Yes, I did. When he examined me he told me I had---

Q. Don't tell us what he said unless counsel wants it.

A. I got some pills.

Q. And then what, after you got the pills?

A. Came back to the joint.

Q. To where?

A. To the Old Colony Club.

Q. You call it "the joint"?

A. Yes.

Q. Is that the name it was called by the girls there, "joint"?

A. Yes.

Q. Did you do any kind of work after you came back there?

A. No, I didn't.

Q. Not at that time?

A. No.

Q. This was on the 3rd of May that you went to Sheboygan,

was it not?

A Yes, sir.

Q In other words, you got up there about 3:00 A.M. in the morning, went to sleep, got up in the afternoon of that day, May 3rd, went to Sheboygan, and come back on May 3rd?

A That's right.

Q What's the next thing you did after that?

A Went to the doctor two days later again.

Q Same doctor?

A Yes.

Q And that was at Sheboygan?

A Yes, sir.

Q Came back, did you?

A Yes, sir.

Q After you came back the second time, did you commence to work then?

A No, sir.

Q And what did you do then?

A Went back to the doctor again.

Q The third time?

A Yes.

Q Same situation, went to Sheboygan and came back?

A Yes.

Q After you got back the third time, did you go work

after that?

A. I did, sir.

Q. As near as you can tell us about when would you say that was?

A. Oh, anywhere from seven to nine days after I first got up there.

Q. During that period of time, seven to nine days, were the three trips you described to the doctor?

A. Yes, sir.

Q. After you got back from the doctor the third time you stated you started to work?

A. Yes.

Q. What kind of work?

A. I was a prostitute.

Q. By that, what do you mean?

A. I don't know what you mean.

Q. What did you do?

A. I took men up to bed.

Q. Up in this house?

A. Yes, sir.

Q. And you had sexual relations with them?

A. That's right.

Q. And you got money from them?

A. That's right.

Q. How soon, if at all, after Gagliano left you there

and first brought you up, saying, "I'll be up to see how you are doing," how soon after that did you again see him?

A Several days after I started to work.

Q Several days after. In other words, several days after, about May 7th or 9th?

A I am not sure. I think somewhere near the 9th.

Q But you saw him the second time, saw him up there after you--after he had left you, is that it?

A Yes.

Q How many days would you say you had been working as a prostitute before he came up to see you?

A Two or three days.

Q Could you give us any idea how many men you had had relations with up to that time?

A I don't know.

Q Can you give us some idea?

A I can't tell that.

Q Can you give us any idea about how many at night?

A It is hard to say, because I have no way of remembering it.

Q More than one?

A Oh, yes, sir.

Q Was it many?

A Many.

Q As you had relations with these various men in this house of prostitution, you collected money from them, you say?

A That's right.

Q When you collected this money from them, what did you do with it?

A Took it downstairs and checked it in there to Maxine or Gail.

Q Gail was the straw boss?

A Yes.

Q Maxine was the mistress?

A Yes.

Q When would you do that?

A When I came down to get the water, right after I took them upstairs.

Q You mean right after you took the man upstairs?

A Yes.

Q When you handed the money to Maxine or Gail, what would they do?

A I had a little card, and every dollar I took in I got a punch for.

Q Who had the card?

A I had the card, but Maxine or Gail would have the punch.

Q As you handed them the money they punched your card?

A Yes.

Q What kind of a card was that?

A A Little white cardboard card about like that, little square.

Q Those punches represented what?

A One dollar taken in.

Q By whom?

A By me.

Q In other words, that represented your share?

A No, sir, you whole amount, all what I took in.

Q Was there any arrangement as to what your share was supposed to be?

A Yes, I was to get half of what I took in.

Q You turned all the money over to Maxine or Gail?

A That's right.

Q Then they punched your card?

A Yes.

Q And that showed how much money you had taken in? The total amount of money?

A Yes, sir.

Q And all of that money you took in and for which these cards were punched was money you earned in prostitution?

A That was right.

Q Now, on this occasion the first time that the defendant came back, tell us all that happened on that oc-

casion as you recall it.

A I brought him in the back door, sir, and brought him into the kitchen, and Maxine was in there, we were the only ones there were in the kitchen. Teddy told Maxine to figure up how much I had coming. She did so, and took off a little on the doctor bill and told Teddy I had \$40.00 coming, and then she gave the money to me and told me to give it to Teddy. I told Maxine and Teddy: "Why should I give it to Teddy? After all, I earned the money," and he said he was my pimp, and I had to give him the money.

Q Give us the exact language, as near as you can.

A "I am your pimp, and I have to have your money."

Q Then what did you do?

A I had to give it to him.

Q What did you give him?

A \$40.00.

Q And that \$40.00 was money that was your share, or supposed to be your share of your earnings as a prostitute, is that right?

A Yes.

Q You have said, Gloria, that he came and came into the kitchen on this occasion, is that right?

A That's right.

Q I want you to describe exactly how you were in the

kitchen, that is, whether you were standing or seated, and all that you can recall about the kitchen and what took place there at that time.

A: When you come in, to your right is a very large table. where you eat dinner. To the left is a long row of drawers, and in one of the drawers is the place Maxine keeps all of the money. When Maxine got out the punches to see how much I had earned, she stood down at the end of the table facing the parlor that was on the other side of the kitchen, and Teddy stood next to her, and I stood next to Teddy, and that's where she figured out how much I had coming.

Q: There was a table there?

A: Yes, a very large dining room table.

Q: Where was this cash drawer?

A: To the left of you as you walk in there, it is a drawer below the cubboards where you keep the dishes.

Q: Where was Teddy with respect to the table?

A: Standing next to Maxine, and Maxine sitting down at the table.

Q: How close were you Teddy and Maxine?

A: I was standing right next to Teddy.

Q: What was your exact language when you protested against him taking this money?

A: I told him I couldn't understand why he should have my

money when I had worked for it, not he.

Q It was at that time he responded with "I am your pimp and I got to have it", is that it?

A Yes, sir.

MR. SAMMARCO: That is objected to as having been gone over and attempting to examine his own witness.

THE COURT: I think that is in the nature of leading.

BY MR. KERSTEN:

Q What, exactly, did he say when you made that remark?

A He said: "I am your pimp and I got a right to have your money."

Q In what form was this \$40.00?

A In bills.

Q Do you recall the denominations in any respect?

A No, sir, but I know it wasn't twenties.

Q Will you state whether or not that was the first money that the defendant got from you thereafter from your earnings as a prostitute?

A That was the first money.

BY THE COURT:

Q Do I understand that \$40.00 represented eighty customers?

A No, sir.

Q What was the rate per punch? You said for every dollar you took in. It might indicate it was a dollar a punch. Did the rate vary at times?

A No, sir, the minimum was two dollars, and if you got more--all the more punches you got then.

BY MR. KERSTEN:

Q You say the minimum was two dollars, and if you got more--you will state whether there were times you did get more?

A Yes, very often.

Q Can you state how much you would get?

A Sometimes I would get five dollars, sometimes \$10.00, sometimes \$12.00, all depended on who it was.

BY THE COURT:

Q As to whether they were generous or not?

A Yes.

BY MR. KERSTEN:

Q That was the first item. How long after Magliano got the forty dollars did he leave?

A He left immediately.

Q Right after getting the forty dollars he left?

A Yes.

Q When is the next time you saw Magliano?

A A couple of days later.

Q In that intervening time you were where?

A At Maxine's Old Colony Club.

Q Doing what?

A I was a prostitute.

Q Still working along the same line?

A Yes.

Q Now, Gloria, tell us exactly what happened on the second occasion when he called, as near as you can tell us.

A I let him in again in the back door and he came into the kitchen and told Maxine to figure out how much I had coming. She did this and took off a little first towards the medical bill, and handed him \$35.00 in my presence.

Q Which was in the kitchen again?

A Yes, sir.

Q She didn't give you the money?

A No, sir.

Q What form was the money in she handed him at this time, if you know?

A Bills, tens and fives.

Q \$35.00?

A Yes.

Q Were these cards at hand there as these moneys were figured out?

A Yes, she kept the cards in the same drawer she kept the

money in and locked up with a key and had the key
at the end of the punch?

Q Were there other cards there beside yours?

A Yes, the cards of the other girls.

Q Cards have any names on them?

A Yes, sir, they did.

Q What name did your cards have on?

A Irish.

Q Do you recall any conversation at the time Maxine
gave him the \$35.00 you had earned in the interim?

A No, there wasn't much conversation.

Q That \$35.00 represented your share of your earnings as
a prostitute at that particular time, did it?

A Yes, sir.

Q That was the second payment. Now, what's the next
time you saw the defendant?

A Several days later when Maxine called him up because
I refused to put on a show.

Q What kind of show?

A A strip dance.

Q Where?

A In the parlor.

Q Of this place?

A Yes.

Q What was the occasion?

A Junior Chamber of Commerce Convention.

Q Where?

A Sheboygan.

Q Was there any particularly large number of patrons?

A Yes, sir, there were quite a few. The house was packed.

Q How was it Magliano came up to the Old Colony Club on this occasion?

A Maxine got angry with me and told him that she couldn't do anything with me.

MR. SAMMARCO: That's objected to as hearsay.

MR. KERSTEN: Don't tell us what she said. What did she do?

A Called up Teddy.

Q When she called up Teddy did you hear the number she called?

A Yes, sir, I heard it, but I don't remember what it was.

Q Did you recognize the number?

A Yes.

Q Do you know whose number it was?

A Yes, I do.

Q Could you ascertain from the conversation to whom she was talking?

A Yes.

Q Who was she talking to?

MR. SAMMARCO: That's all objected to for the reason that there is no proper foundation she heard the voice or able to identify it.

MR. KERSTEN: I think you are right. I will withdraw the question.

Q At any rate, she put in a phone call?

A That's right.

Q What time was that?

A About eight or nine o'clock.

Q In the evening?

A Yes, sir.

Q Was this large number of men still there at that time?

A Yes, sir, they were.

Q How soon after that phone call that Maxine put in, did you see Gagliano?

A Two or three hours.

Q Two or three hours?

A Yes.

Q Now, Gloria, I want you to tell us exactly what happened when Gagliano got up there after that phone call in connection with that large number up there that you were supposed to do the strip tease dance for?

A Maxine let Teddy in the back door and I was sitting in

in the parlor back there and she and Teddy came over and Teddy started to holler at me, he told me he couldn't understand why I couldn't put on this show to make all this money, when I wouldn't even have to use my body.

Q You say he started to goller. Will you give us the exact language he used?

A He told me I was a fool for not putting on the show.

Q Anything else?

A No, sir, nothing, except that he said I had wasted a lot of easy money I could have made.

Q What's that?

A I had wasted a lot of easy money I could have made.

Q What was this he said about using your body or not using your body?

A He told me it was foolish for me not to put on that strip tease dance because I could make a lot of money, much more than if I took someone up to bed, and I didn't even have to use my body.

Q That was this defendant said that, is that right?

A That is right.

Q What happened after that conversation?

A He left.

Q When is the next time you saw him?

A Less than a week later.

Q Tell us about that occasion.

A He came up with a friend, but he left the friend out in the car and he came in. I met him in the house, he came into the kitchen, asked Maxine to figure up how much I had coming. She did, and deducted the rest of the medical bill and handed him \$125.00. He then wanted me to come outside and meet his friend, so I did. It was rather cool and I only had on an evening gown, so I got in the car and Teddy got in too, and then Teddy's friend started to drive off. I asked Teddy where he was taking me. He told me he was taking me to Milwaukee. I said: "I can't go like this, I have only an evening gown on, and where are you taking me to Milwaukee?" He wouldn't tell me. And I started to scream and he took me back.

Q Took you back to the house?

A Yes.

Q And then what?

A Then he and his friend left.

Q When he got this \$125.00--did you say?

A Yes, sir.

Q What did that represent?

A My earnings as a prostitute.

Q During the intervening period from the time he got the \$35.00?

A Yes.

Q In other words, you mentioned something about the medical bill having been paid. Was the balance paid at that time?

A It was.

Q And the net was \$125.00?

A Yes.

Q Just what happened to that \$125.00?

A Maxine handed it to Teddy and Teddy looked at me and said "Nice work."

Q Teddy said "Nice work"?

A Yes.

Q To whom did he say that?

A To me.

Q What did you say?

A I didn't say anything.

Q Now, Gloria, up to that time you had been working continuously as a prostitute, and you, after you had this medical examination?

A Yes.

Q Every night and every day?

MR. SAMMARCO: That's all objected to as leading.

MR. KERSTEN: I will withdraw it.

Q How much of the time from the time you first started

working as a prostitute until Teddy got that \$125.00,
how many of those days did you work as a prostitute?

A Every day and every night, except when I slept, and
even then sometimes I had to wake up if someone came
in.

Q This \$40.00 and \$35.00 and \$125.00, which totals, I
believe, about \$200.00, represented your earnings as
a prostitute, as you testified?

MR. SAMMARCO: Objected to as already
testified to. She so stated.

THE COURT: Isn't that correct?

MR. KERSTEN: I think possibly.

Q Did you get any money whatsoever, whereby you had it
in your own possession and kept it out of your earn-
ings as a prostitute during that entire period?

A No, sir.

Q Who got all of your earnings during that period?

A The doctor and Teddy.

MR. SAMMARCO: That's objected to as al-
ready answered.

THE COURT: Objection sustained.

BY M.R. KERSTEN:

Q Did you have any money on you at all that you had
acquired at this house from the time you first got
there until this occasion you last mentioned, whereby

\$125.00 was given to Magliano?

A No, sir.

Q Now, when is the next time you saw Magliano?

A About a week later.

Q Where?

A Maxine's Old Colony Club.

Q Tell us exactly what happened on that occasion.

A I let him in the back door and before he could go to the kitchen I took him upstairs to my room and told him I wasn't going to give him any more of my money.

He said, "What do you mean?" I said: "After all, you are just a pimp, and why should I give you my money," and he got angry with me and slapped me across the face and walked downstairs.

Q How do you spell that name?

A P-i-m-p.

Q What does it mean?

A Panderer.

Q In other words, you said that to him?

A Yes, I did.

Q How soon after you said that to him did you get this slap from him?

A Right after I said it.

Q Where were you seated when you called him a pimp?

A I was seated to the left of him on the bed.

Q Where was he?

A To the right of me on the bed.

Q Sitting?

A Yes.

Q Both of you on the bed?

A Yes.

Q In what room was this?

A My room.

Q Describe your room for us, as to how large it was, and so forth.

A It wasn't a very large room, had a bed and dresser and closet and the necessary equipment, and the vanity stood right in front of the bed, and the dresser was on the other side of the bed.

Q Whereabouts did Gagliano strike you? What part of the body?

A On my face.

Q What kind of a blow was it?

A It was a blow you give someone when you do it on the spur of the moment, I guess, the palm of the hand.

Q What did you do immediately after he struck you?

A I sat there and he went downstairs.

Q Did he say anything as he went out?

A Not a word.

Q When is the next time after that you saw Gagliano?

A The next night.

Q Did you see him after he left your room after he slapped you? Did you see him any more that evening?

A As I was walking into one of the parlors I looked in through the door leading into one of the kitchens, I saw him standing there, talking to Gail.

Q Talking to the straw boss?

A That's right.

Q Is that the last you saw him that day?

A Yes.

Q When is the next you saw him?

A The next night.

Q Where?

A DuLaveris' Bar.

Q Where is that?

A Fourth and Wells.

Q How did you get to DuLaveris Bar?

A Maxine and Christ Constance drove me down there.

Q What time did you leave the Old Colony Club?

A I don't know, but it was dark already.

Q Can you tell us about what time you arrived in Milwaukee?

A Must have been between about ten and twelve, somewhere along in there.

Q When you got to Milwaukee, where did you go?

A First went to the Belmont and had a cup of coffee, all three of us, and then all three of us went over to DuLaveris'.

Q Who do you mean?

A Maxine, Grist Constance and I.

Q DuLaveris' Bar is located where?

A Fourth and Wells.

Q In the city and county of Milwaukee, State of Wisconsin?

A That's right.

Q Now, Gloria, I want you to give us everything that happened in that barroom that occasion when you drove down from the Old Colony Club with Maxine and her husband at this time?

A We three of us walked into the bar room and exchanged greetings, and Maxine and Christ went over to a corner of the bar and stood there, talking to Teddy, while I sat a few stools down, and Maxine came over to me and told me---

Q Just a minute. Your counsel objects to that. Sagliano was not present at that particular time?

A No, he was not.

Q At any rate he talked to you?

A Yes, sir.

Q When you first got in there was the defendant there?

A Yes, sir.

Q Where was he?

A Behind the bar.

Q What part of the bar?

A He was about in the middle.

Q Then you stated Maxine and Christ went over and talked to him?

A Yes.

Q How long did they talk together?

A Oh, about fifteen minutes or twenty minutes.

Q Where were you during this time?

A Sitting a couple of stools down.

Q You couldn't overhear the conversation?

A I couldn't.

Q And it was after that Maxine came back and talked to you?

A Yes.

Q After Maxine talked to you, what happened?

A We went over to where Teddy and Christ were standing.

Q Who did?

A Maxine and I.

Q Where were they standing at that time?

A Over in the corner of the bar room.

Q What corner?

A The corner nearest the door you go into to get to the

back of the barroom.

Q Is there another room in which you go through a doorway?

A Yes, sir, behind the bar.

Q It was in that doorway you stood?

A Yes, sir.

Q Tell us exactly what happened from the time you and Maxine walked back there to Gagliano and Christ.

A Christ was standing next to Maxine and Teddy standing across from Christ, and I was between Teddy and Maxine, and Maxine got out this money she was going to pay Teddy and counted it out to him in the palm of his hand, and asked him if he understood now he was supposed to leave me alone, and I said "Yes, and don't forget it." and he said "All right."

Q How much money have you seen was given by Maxine to Gagliano on that occasion?

A \$100.00.

Q How do you know?

A Because I watched her count it out and she told me.

Q What was that money?

A Those were my earnings.

Q In what respect?

A As a prostitute.

Q From the last time Gagliano was paid the \$125.00 until

this time you mentioned?

A That's right.

Q In what form was that \$100.00?

A In bills, twenties, tens and fives.

Q Do you recall the exact denominations?

A No, I don't.

Q Just how was that money paid or transmitted from Maxine to Magliano?

A We were all standing very close together in a group and Teddy was standing across from Maxine and I was in between Teddy and Maxine, and Chris was in between Teddy and Maxine, and Teddy held out his hand and Maxine, as she gave him the money, counted it to him, and we were all together in a little group.

Q What time was that, as near as you can tell?

A It was one or two days before Decoration Day.

Q By "Decoration Day" you mean May 30th, 1941?

A Yes, sir.

Q So it would be around the 28th or 29th of May as you estimate it?

A Yes.

Q During the times that Magliano received this money, your earnings as a prostitute at the times you mentioned, at any time during that period did you owe any money to Magliano?

MR. SAMMARCO: That's objected to as leading and suggestive.

THE COURT: Objection overruled.

A No, I never owed Teddy any money.

Q What time would you say it was, Gloria, when you arrived at Du Laveris Tavern on the occasion when the hundred dollars was give to Magliano?

A It was somewhere between 10:00 and 11:00, sir--
10:00 and 12:00.

Q Between 10:00 P.M. and midnight?

A Yes.

Q This day in the latter part of May?

A I think it was.

Q And as you four stood in a group, where was the group with reference to the bar?

A On the outside of the bar, towards the corner of where the door led into the back room.

Q Did you observe what Magliano did with the \$100.00?

A Put it in his pocket, in his wallet.

Q Did you get any of that money back?

A No, I didn't.

Q Or did you get any of the other payments to him back at any time?

A No, I didn't.

Q Can you state whether or not, Gloria, the word "pimp"

was used on any other occasion in your conversations with Magliano, other than the one you told us about, that you can recall?

A There were two times when I can remember it very distinctly, the time in the kitchen when he told me he was my pimp.

Q I can't hear you.

A The times I was in the kitchen and he told me he was my pimp.

Q Is that the language he used?

A Yes, and the time I was upstairs and called him a pimp.

Q Did he object to the use of the word "pimp" on the first occasion?

MR. SAMMARGO: That's objected to as leading and suggestive.

THE COURT: On the first occasion he used it.

BY MR. KERSTEN:

Q Did he object to the use of the word in any way?

THE COURT: If I understand correctly the first occasion is when he used the word himself.

A That's right.

BY MR. KERSTEN:

Q He said he was your pimp at that time?

A Yes.

MR. SAMMARCO: That's objected to as already having been testified to.

THE COURT: That's true, but not repetition to the extent of being objectionable. Objection overruled.

BY MR. KERSTEN:

Q Let me understand you clearly, it was the last time when you called him a pimp that he objected?

A That's right.

Q To the extent of slapping your face?

MR. SAMMARCO: That's objected to as leading and suggestive.

THE COURT: Objection sustained.

MR. KERSTEN: Take the witness.

CROSS EXAMINATION

BY MR. SAMMARCO:

Q What is your correct name?

A Gloria May Eichstaedt.

Q Have you ever used any other name?

A Yes.

Q What names have you used?

A "Irish". and when I was at Maxine's, "Pattie Madden", if anyone wanted a formal name.

Q That "Pattie" would stand for "Patricia"?

A Yes.

Q Where were you living April 13, 1941?

A With Mr. and Mrs. John Claussen.

Q Was that the last day you were living there?

A Yes, sir.

Q What did you do after that? Move out?

MR. KERSTEN: I object to this as immaterial.

THE COURT: You may answer. Go ahead.

A I left.

BY MR. SAMMARCO:

Q Did you leave voluntarily?

A Yes.

Q Where did you go?

A Went to my grandmother's house.

Q How long did you stay there?

A About an hour and a half or two hours.

Q Where did you go after you left grandma's house?

MR. KERSTEN: Object to this as immaterial.

BY MR. SAMMARCO:

Q In other words, where do you live between April 13th and May 1st when you met the defendant?

MR. KERSTEN: How is that material?

MR. SAMMARCO: The State brought out that he lived with Claussens until the 13th of April. I

am trying to connect the 13th to the 1st. Let's see how this meeting came about.

A I lived in several different places.

BY MR. SAMMARCO:

Q Where did you live, as far as the first place is concerned, after you left the Glaussens'?

A My girl friend's home.

Q What is her name?

A I can't tell you her name, sir.

Q Why not?

A I don't think it's fair to bring her into this.

THE COURT: Just answer the question.

A Camilla Pr-I don't really know how to spell it myself.

BY MR. SAMMARCO:

Q Where does she live?

A On the east side.

Q Where on the east side?

A I don't remember the exact street.

Q How did you find the place you now live?

MR. KERSTEN: I object to this line of inquiry as immaterial and I would like to be heard on it.

MR. SAMMARCO: It is a matter of impeachment, your Honor.

THE COURT: We will excuse the jury.

(Jury out)

MR. KERSTEN: Counsel is going into this period of several weeks during which this witness went from place to place and was guilty of various indiscretions, which we intend to call to the Court's attention at the proper time and under proper conditions. There isn't going to be any dispute that he paid rent on or about May 1st. Unless there is some material dispute there is no object in counsel going into those particular two weeks and his only purpose is to try to bring in this immaterial matter. I think counsel will be willing to admit and his client will state, if he takes the stand, he did meet this girl and did take her up to Sheboygan at or about the time she stated.

MR. SAMMARCO: It is only a matter of impeachment.

THE COURT: Isn't the defendant entitled to show the jury enough so that the jury may have the same understanding of the complaining witness, prosecutrix, to the extent they may form a judgment of her as to whether they want to believe her or not?

MR. KERSTEN: Well, I think the previous unchastity of the witness is not material.

MR. SAMMARCO: We are not bringing that in.

THE COURT: The Court has stated it will

be kept out, and it will.

MR. KERSTEN: Under proper instructions and limitations I think the Court is right.

MR. SAMMARCO: We have disputed the dates, but we are not going to tell you what we are going to do.

THE COURT: I will say to the witness and to Mr. Kersten, you make objections where you think you should, to protect her, and you can allow a sufficient time between the question and the answer you give to the question for Mr. Kersten to make an objection. If he makes none, you go ahead and answer the question, and he will protect your interests when he feels he should. Generally you need give no answer may tend to incriminate you. Any query that might constitute an offense on your part, you are not required to answer. Do you understand?

THE WITNESS: Yes, sir.

(Jury brought in)

(Last question read as follows: "Q. How did you find the place you now live?"

A I went there with my girl friend. I went there with a girl.

BY MR. SAMMARCO:

Q In other words, you went with Camilla?

A Yes.

Q Where did you meet Camilla on this particular day?

A At school. At Lutheran High.

Q How did you get to Camilla's home?

A Street car.

Q Can you tell us what street it was?

A You go down Center Street until you get to the end of the car line, and take a bus to Marietta Avenue.

It is off Marietta Avenue on Center.

Q How long did you stop at Camilla's home?

A That evening and the next day.

Q That would be the evening of April 13th and day of April 14th?

A Yes.

Q Where did you go the following evening, the 14th?

A I can't remember the notation in which things happened.

Q Let's forget the days, but where did you go after you left Camilla's home?

A I went down to the Arcade.

Q Where did you stay that evening?

A I didn't stay anywhere?

Q Where did you sleep the evening of the 14th?

A I didn't sleep.

Q Stayed up all night?

A Yes.

Q What did you do the following day?

A Went down to the Arcade again.

Q The evening of the 14th did you meet anybody at the Arcade?

A I did.

Q Who did you meet that evening?

MR. KERSTEN: I don't think that is material, your Honor. I will object to it.

THE COURT: Objection sustained.

BY MR. SAMMARCO:

Q What did you do the following evening?

A I told you I can't remember the things as far as evenings go. I know the things happened, but as far as putting them in rotation as to the evenings, I can't do it.

Q Where did you sleep the first time after you left Camilla's house?

A With a nurse.

Q With a nurse?

A Yes.

Q Who was the nurse?

A I don't know her name.

Q Where did you meet her?

A I met her down at the Arcade.

Q Where did this nurse live?

A Up on 34th and Wells, right in the next block away from the hospital.

Q How long did you stay with this nurse?

A About four or five nights.

Q After that with whom did you live?

A I lived with another girl friend.

Q What's her name?

A Tessie.

Q What's her last name?

A I don't know her last name.

Q Where did you meet this girl friend?

A At Bob Terris'.

Q Do you remember approximately when you met her?

A No, I don't. I know it was during the two weeks, but I can't place it.

Q Would you say it was the beginning of the second week you met her at Bob Terris'?

A It must have been somewhere around there.

Q When you say "Bob Terris'" is that a business house?

A It's a tavern.

Q How did you get there?

A I walked there.

Q Did you know anyone in Bob Terris' when you walked in there?

A Tessie--I mean I didn't know her before I walked in.

there, but I knew her when I walked in.

Q How long did you stay with Tessie?

A I think three or four nights, something like that.

Q Did you stay with Tessie the night you met the defendant?

A No, sir.

Q After you left Tessie's place, with whom did you live?

A I didn't live anywhere. I met the defendant right after I got through staying with Tessie.

Q In other words, the night after you slept with Tessie, you then met the defendant for the first time?

A Yes, somewhere near the end I know I was with Tessie.

Q Can you remember Tessie's last name?

A I never heard it.

Q What was she doing at Bob Terris'?

A She was drinking.

Q She wasn't working there?

A Oh, no, she was a customer.

Q How did you happen to get down to Terris' tavern that particular night?

A I went with a friend.

Q Who was the friend you went with?

A Danny.

Q Danny who?

A I don't know his last name, starts with a "P".

Q You know who it is now?

A No.

Q You heard of Danny Patsos?

A Yes.

Q He was the manager of the Ju Laveris Tavern?

A Yes.

Q Where did you meet Danny Patsos?

A At Bob Terris'.

Q What time did you leave Terris' Tavern, to go to the Du Laveris Tavern? What time in the evening was it?

A It was after midnight, I know. It wasn't in the evening, it was after midnight.

Q Did Bob Terris introduce you to Danny Patsos?

A He did.

Q The first time you met the defendant was May 1st, 1941, is that correct?

A That is correct.

Q How did you fix the date?

A Took the calendar.

Q Where was this calendar?

A This calendar was up at Maxine's one of the calendars, and the other one was at my girl friend's house.

Q You didn't look at Maxine's calendar, did you?

A Yes, sir, the night I got up there, I knew it was the 2nd, and I knew I met Teddy the night before.

Q This girl friend of yours who had the calendar, was this the Tessie you talk about?

A Yes, that's the one.

Q But you can't give us her last name?

A No, I only know her by "Tessie", I don't know her real first name.

Q You lived with her three or four days?

A Yes.

Q You don't know the apartment or room number where she lived?

A Yes, I think it was partment number 1.

Q Where?

A Highland Apartments. It wasn't under her name, though.

Q Under whose name was it?

A Her uncle's but he wasn't living there, he was out of town.

Q What is her uncle's name?

A John.

Q John what?

A I don't know.

Q You are positive it was Apartment 1?

A 1 or 2. When you get in it was to the right at the furthest side of the hall, way down to the end of the hall.

Q That would be down to the end of the hall?

A When you get in you turn to your right and go down to the end of the hall on your right-hand side.

Q You didn't expect anything to happen on the 1st, did you?

A No.

Q You had no occasion for looking at the calendar?

A I look at the calendar every day.

Q Every day?

A Just about.

Q You remember testifying in the preliminary hearing in the District Court on October 15th, 1941, was that correct?

A Yes.

Q In the afternoon you were there and testified?

A I did.

Q I wish to refresh your memory a trifle, reading from page 3, were you asked these questions and did you make the following answers:

"Q That is the first time you met him?

"A Yes.

"Q And at about what time was that?

"A At about 9:30.

"Q On May 1st?

"A Yes.

Were you asked those questions and did you make those

answers?

A I did.

Q Did you meet the defendant at 9:30 or did you meet him at about 2:30, as you testified here on direct examination?

A 2:30. I made an error.

Q You did?

A Yes.

Q When was the second time that you met the defendant?

A On May 2nd, at about 9:30 in the evening.

Q You came in alone, is that correct?

A Yes, sir, I came in alone.

Q When did you really meet the defendant for the first time?

A On May 1st, at 2:30 in the morning.

Q You are positive as to the time?

A Yes, it was about 2:30 in the morning.

Q Isn't it a fact that you met him at 1:30 in the morning?

A I only said I thought it was about 2:30, it could have been 1:30 or 3:30.

Q What is that?

A I said I only thought it was 2:30, it could have been 1:30 or 3:30, I know it was in the morning. I said I only thought it was around 2:30. I said it could have been before or after that.

Q Was it before two o'clock that morning you met the defendant?

A I don't remember. I know it was around that time in the morning. I don't know whether before or after.

Q Now, after you met the defendant at 9:30 that evening, can you tell us what he was doing at Du Laveris Bar?

A He was tending bar.

Q While he was tending bar did you have any conversation with him?

A I did, sir.

Q You understand this is in the evening?

A Yes, sir.

Q What was the gist of the discussion you and he had there?

A He wanted to know why I was hanging around taverns and why I didn't get a job, and make some real money, and I told him I would try for anything. He said he thought he knew where he could get me a job.

Q And then there was a suggestion you go to the Jackson Hotel with him?

A Yes.

Q Were you there when he telephoned the cab?

A Yes. I was at the other end of the bar when he telephoned for the cab.

Q Where is the telephone located in this tavern?

A You come in the door, there is one to your left hanging on the wall and there is another one on the bar. If you stand behind the bar and face toward the customer, to your left at that end of the bar there is a cradle phone on the bar.

Q Which phone did he use?

A The cradle phone. Someone put a nickel in the other one.

Q Who did?

A I don't know. That was a customer handled him a nickel.

Q After he telephoned the cat, then you went outside?

A Yes, he and I went outside.

Q You waited for this cab to answer the call you made by the telephone, is that correct?

A The cab was there when we went outside.

Q You got into this cab, is that correct, and went to the Jackson Hotel?

A That's correct.

Q Can you tell us whether it was a Yellow Cab or a Checker Cab?

A I don't remember.

Q Didn't you look at the cab when you walked in?

A It was night time. I didn't think to notice it.

Q Weren't there any lights around there?

A There were lights but I didn't think to notice it.

It was only a cab.

Q After you got to this hotel, both of you walked in, is that correct?

A No, sir. He walked in there first and then called me in.

Q You testified a few seconds he called you?

A Yes, he came to the door and told me to come in.

Q What did you do then?

A Went upstairs to this room.

Q How many flights of stairs did you go up?

A I don't remember how many flights, but it was past the first flight.

Q In other words, you went beyond the second floor, is that correct?

A No, sir, I think I went beyond the first floor, not counting the lobby.

Q In other words, you went to the second floor of the hotel?

A Might have been the second. If there are any more floors going up, I don't know, but I know we walked up some stairs, I don't know how many we walked up.

Q You would know what the second floor is of an apart-

ment or hotel?

A Yes.

Q Did you get to the second floor?

A I imagine so. I went past the first floor, must have got to the second.

Q After you got to the second floor, what did you do?

A What do you mean? I told you I didn't know what floor the room was on. All I knew, I had gone past the first floor, and I can't tell you what I did when I got to the second floor because I don't know.

Q Did you go up another floor?

A I can't tell you that. I told you that before.

THE COURT: I think perhaps there is a little misunderstanding, the language you us. You say you went past the first flight of stairs?

A Yes.

Q What do you mean by "past"? You mean you know you went at least one flight above the lobby?

A Yes.

Q Not one flight above the second floor?

A I know I went one flight above the lobby.

BY MR. SAMMARCO:

Q You don't remember whether or not you went to the third floor or the 4th floor, is that correct?

A I don't know how many floors there are.

Q Well, after you got to the second floor, did you go up any higher or stay on that floor?

A I just told you I don't know.

Q Well, what did you do after you got to the second floor, which way did you walk?

A I don't know whether it was the second floor. I know when we got to the landing where we stopped, we walked down the hall.

Q In other words, wherever you stopped you walked down the hall. Which way did you turn, left or right?

A I don't remember.

Q Did you walk straight ahead?

A I don't remember what I did. All I know I walked to the room.

Q Let's have a sort of picture of this hotel. This is on Jackson Street, and called the Jackson Hotel?

A That's right.

Q As you walk into the doorway to the right you find a lunch room?

A I didn't notice. It's on the right hand side.

Q There is a lunch room there, isn't there?

A I told you I didn't notice.

Q Didn't you notice anything on the first floor lobby?

A Yes.

Q What did you notice?

A We walked up the stairs and we only had to walk a little way to get to the stairs.

Q As you walked in the front door you walked possibly from here to the jury box to get to the stairs?

A I didn't judge the distance.

Q About how far was it?

A Not very far.

Q About how far in reference to where I am standing, to the front of the jury box?

A I didn't take notice.

Q Was it half of the distance or was this the distance?

A I didn't think it was necessary to notice it then.

BY THE COURT:

Q You mean you are unable to estimate the distance?

A That's right.

BY MR. SAMMARCO:

Q Did you notice whether there was a picture shop on the left hand side?

A I walked straight ahead, I didn't notice.

Q Did you notice whether or not the stairway leading up to the second floor is located just this side of the tailor shop, is in there?

A All I know, when I got to the stairs, the stairs were to the left of me as I got in there.

Q Then you got to a floor in the hotel?

A That's right.

Q What did you do after you got to this floor in this hotel?

A All I know, when I got to the stairs the stairs were to the left of me as I got in there.

Q Then you got to a floor in the hotel?

A That's right.

Q What did you do after you got to this floor in this hotel?

A I walked in the room.

Q What room?

A The room Teddy and I had, the one we went to.

Q The one Teddy and you had?

A The one where we spent that hour.

Q How did you get that?

A Walked.

Q What did you do when you got to the front of this apartment or room?

A Turned the knob and walked in.

Q Who turned the knob?

A Teddy did.

Q The door was open?

A It was. It was unlocked.

Q When you got in there, what did you do?

A Sat down.

Q For how long a period of time did you stay before anything occurred?

A I don't know, maybe twenty or twenty-five minutes.

Q In other words, you say around ten o'clock?

A No, about 10:00 or 10:30 we got to the hotel room.

Q Around 10:30?

A Yes.

Q During this time did you talk to Ted?

A Yes.

Q What did you talk about?

A I asked him what kind of a job it was.

Q What did he tell you?

A He told me he would tell me later on when his friends came.

Q About what time would you say you had intercourse with Ted, as you claim?

A I didn't have a watch. I couldn't tell you what time it was.

Q Would you say about an hour after, as you say, 9:30?

A No, it couldn't have been, because we left the hotel room about 11:30 or a quarter to 12:00.

Q In other words, as you say, the act of intercourse took place sometime after 9:30 and before a quarter to 12:00, is that correct?

A Between 10:30 and a quarter to 12:00.

Q How did this act of intercourse take place? Will the Court permit me to go into that, as to the circumstances?

MR. KERSTEN: No objection, if counsel wants to.

THE COURT: I don't think the question is clear.

MR. SAMMARCO: In other words, I want to know how the act of intercourse took place and the details.

THE COURT: Where and when?

MR. SAMMARCO: And under what circumstances, and how.

MR. KERSTEN: There is no objection to it, so put your question.

BY MR. SAMMARCO:

Q Was there anything preliminary as far as talking is concerned, between you and Ted as to this alleged act of intercourse? In other words, did you talk it over?

A No, sir.

Q He didn't say a word?

A He didn't ask me. He didn't tell me. He didn't say anything about it.

Q You didn't say anything either?

A I didn't know until it happened.

Q You didn't know it until it happened?

A No.

Q When it did happen, were you standing up or sitting down?

A I was laying down.

Q Where were you laying?

A On the davenport.

Q Did you have your dress on?

A I did.

Q Did you have any shorts or any underwear on?

A Yes, sir.

Q What type of underwear did you have?

A I had pants, brassiere and slip on.

Q Did you take the pants off?

A I did.

Q After you took the pants off, you didn't say anything to Ted about intercourse? Didn't discuss it?

(No answer)

Q How long did that act of intercourse take?

A I don't know how long it took.

Q Ten minutes?

A I didn't time it.

Q After it was all over I assume you sat up on the davenport. What did you do after it was all over?

A Went and washed myself out.

Q What do you mean, you washed yourself out?

THE COURT: Isn't that perfectly plain?

MR. SAMMARCO: Not to me. Well, I will

withdraw that question.

Q Did you use anything such as a douche after you had intercourse?

A Not a douche, no.

Q What did you use?

A Cloth.

Q Then how long did you wait there before you left the hotel?

A About twenty or fifteen minutes.

Q During the time you were in this room and this act of intercourse took place, was the door open or shut?

A It was shut, but unlocked.

Q You are positive of that?

A I didn't see Teddy turn the key.

Q Then when the people you expected to see didn't come in, Ted called a cab, is that correct?

A That's correct.

Q Do you remember whether or not he telephoned the Yellow Cab or Checker Cab in getting it to come up to the Jackson Hotel?

A I don't know which one he called.

Q You didn't hear the number?

A If I did I didn't pay any attention to it.

Q Using this telephone, did he speak to anyone in your presence?

A What do you mean?

Q When he called the cab over the telephone, did he say: "I would like to have a cab immediately"?

A I couldn't say. I wasn't paying any attention.

Q After he telephoned the Cab Company you found a cab waiting for you downstairs, is that correct?

A When we got down there, yes, there was a cab there.

Q What did you do with the cab?

A Went to the Belmont Hotel.

Q About what time did you get to the Belmont Hotel?

A Oh, about between a quarter to 12:00 and 12 o'clock.

Q As you testified, around 12 o'clock or five minutes to 12:00, you left for Maxine's, is that correct?

A It was a little after midnight.

Q About how long after midnight?

A I don't know, but I know it was after.

Q Fifteen minutes?

A Maybe. I don't know.

Q Ten minutes?

A I don't know.

Q Very shortly, is that correct, after midnight, you then started for Maxine's?

A Just shortly. It wasn't so very shortly--it was just shortly.

Q What's that?

A It wasn't so very shortly. It was just a short time.

Q When you say "shortly", can you tell us how long?

A No, but I know it wasn't no five minutes.

Q Half an hour?

A I don't know. I told you that.

Q Well, now, we would like to know what you mean by "short". Would it be fifteen minutes or less than half an hour?

A Somewhere between fifteen minutes and half an hour.

I call "very shortly" five minutes.

Q Who did you meet at the Belmont Hotel when you got there with Ted Gapp?

A Louis Fazio, Nick Santilli, Nick Machi and Duffy.

Q And after you got up there, what conversation took place between you and Gail, if any?

A Just "Hello", "Glad to meet you,"

Q Outside of introductions, there was nothing else?

A No, sir.

Q Didn't you inquire as to what kind of work you were to do?

A I was told it was hustling, and I was being taken to a joint, but I was too tired then, I waited until

next day and asked.

Q IN other words, you knew what the boys meant when they said "hustling"?

A No, I didn't, and I told them I didn't.

Q You didn't ask any questions when you walked in there?

A Didn't have a chance to. They did all of the talking.

BY THE COURT:

Q Did you recognize the type of place it was when you walked in there?

A No, I had never been in a place before.

BY MR. SAMMARCO:

Q Setting back to the first time you met Ted Capp, after you met on May 1st or the morning of May 2nd, there was just an introduction and he left?

A That's correct.

Q Did you know at that time what his working hours were?

A No, I didn't. I didn't know anything about the man except his name was Teddy Capp and he liked to sing.

Q You know, as a matter of fact, he left his employment the morning of May 2nd at two o'clock, is that correct?

A I didn't know anything about his employment at that time.

Q Next day at two o'clock you got up and met Maxine?

A What day do you mean?

A The day you had gone up to Maxine's, you met her the

following afternoon?

A I met her on the afternoon of the 3rd.

Q What conversation did you have with her?

A I asked her what kind of a job it was because the boys hadn't told me anything I could understand, so she explained it to me.

Q After she explained it to you, what happened?

A I told her I didn't want to do that kind of work.

Q What did you do after that?

A Went to the doctor.

Q Who went with you to the doctor?

A Maxine.

Q And the doctor is located in Sheboygan?

A That's correct.

Q After you got to the doctor the doctor examined you, is that true?

A That's true.

Q Gave you some pills?

A That's right.

Q In fact you went to the doctor several times?

A That's right.

Q Did you take these pills right along?

A No, sir.

Q You didn't take them?

A I only took four of them.

Q How long were you at Maxine's before you started to work?

A About between seven and nine days.

Q During the seven to nine days did you at any time leave Maxine's without Maxine?

A I did not.

Q And you went to the doctor and you didn't complain you were in a house of prostitution, did you?

A I did the first day I knew about it.

Q You complained to the doctor?

A Not to the doctor. The doctor was the doctor for the house.

Q Didn't you tell the doctor you didn't want to work there?

A I wouldn't have done any good.

Q Just answer my question, "yes" or "no".

A No, sir.

Q You wanted to get away from this place, didn't you?

A That's right.

Q As many times as you went to Sheboygan Falls you never complained to anybody about the work you were going to do?

A Didn't know anybody at Sheboygan Falls, except the doctor.

Q Didn't see any officers on the street when you went

over to see the doctor?

A No, sir.

Q Didn't meet an officer in the city of Sheboygan?

A No.

Q Were you ever close to a tavern?

A Yes, sir.

Q You didn't make any attempt to telephone out of the place or from where you were, in order to get out of this job?

A I was too frightened.

Q Who frightened you?

A Maxine and Teddy.

Q What do you mean by "frightening"?

A They told me if I made any attempt to get away they would tell the juvenile authorities on me.

Q When did this happen?

A In May.

Q When in May?

A Right after I had come there.

Q How long after you had been there was this threat made?

A Before I started to work.

Q That would be, then, before the seven days, while you were in the process of going to the doctor, is that correct?

A That is correct.

Q You say they told you they would tell the juvenile authorities. What do you mean?

A They said that I was pretty young and if I didn't work at it they would report me to the authorities, and I didn't know they didn't have the authority to do it, so I believed them and I was scared to do anything about it.

Q You were so scared of working this place you left the place many times without the company of Maxine, is that correct?

A I never left the place without the company of Maxine.

Q Were you ever in the City of Milwaukee with anyone else other than Maxine?

MR. KERSTEN: During what time?

MR. SAMMARCO: During this period of May.

A After I had once got up to the Joint I never went there except when I went to the doctor to all, and when I came down to break up with Teddy.

Q You testified that Christ and Maxine brought you to Milwaukee the latter part of May?

A That's correct.

Q And you went to the Belmont Hotel and got some coffee before you went to the DuLaveris Tavern?

A Yes.

Q What happened after the so-called deal was made in

the DuLaveria Tavern? Where did you go?

A Back to the joint.

Q Who took you back?

A Maxine.

MR. KERSTEN: Object to this as immater-

ial.

THE COURT: Objection overruled.

BY MR. SAMMARCO:

Q Isn't it a fact that after the so-called deal was made you went back to the Belmont Hotel?

A No, sir, I went back to the joint.

Q And isn't it a fact you stayed right in Milwaukee and Christ and Maxine went back alone?

A No, that isn't the truth. I went back with them.

Q How many times have you gone out to some of the lakes out here just west of Watertown?

MR. KERSTEN: What time are you talking about?

MR. SAMMARCO: In May or the beginning of June.

MR. KERSTEN: Object to that as too indefinite.

THE COURT: Objection sustained.

MR. SAMMARCO: She testified she never left Maxine's place alone.

THE COURT: She testified she never left Maxine's place alone from the time they arrived there until they came down and made their settlement with Teddy.

BY MR. SAMMARCO:

Q Did you leave Maxine's place alone after the so-called settlement?

MR. KERSTEN: That's objected to.

THE COURT: She may answer.

A Not Maxine's no. I never left Maxine's alone.

BY MR. SAMMARCO:

Q What were you going to say?

A Nothing.

Q The fact is that right after the 30th of May, while you were up at Maxine's, and right after that you came into Waukesha County, is that correct?

A I am sorry, sir, but I wasn't with Teddy in June.

Q I am not talking about Teddy.

A I can't remember when I went to Waukesha.

Q How long did you stay in Maxine's after the time you came down here and talked to Ted Capp?

A Until the time when Louis Fazio moved me to another joint.

Q When was that?

A That was in July.

Q What day in July?

A I don't know. It was either the latter part of June or beginning of July when he first moved me.

Q During that time did you ever leave Maxine's place?

MR. KERSTEN: During what time?

MR. SAMMARCO: From the time she got up there to the beginning of July.

A Yes, I did, sir.

MR. KERSTEN: I think that's unfair. That doesn't incorporate the testimony.

THE COURT: He means from the time you got up to Maxine's and were transferred from her place to another place, did you ever leave her place alone?

A Not alone. I either had a pimp with me or had Maxine with me.

BY MR. SAMMARCO:

Q Had who?

A I either had a pimp with me or else I had Maxine with me.

Q But you left the place?

A Yes.

Q Now you deny the night you came down to DuLaveris' Tavern when this alleged settlement was made--you didn't go back to the Belmont Hotel, you deny that?

A Yes, I do, we went right back up to the joint.

Q What time did you start back for home on that particular night?

MR. KERSTEN: I will object to the time of the word "home" in that question.

MR. SAMMARCO:

Q --then house of prostitution--is that all right?

MR. KERSTEN: That's better.

MR. SAMMARCO: All right.

Q What time did you start back for this house of prostitution?

A Between eleven and twelve, I think.

Q What time did you get there?

A I am only guessing at these times, because I can only base it on the fact I know when we left Maxine's it was dark already.

Q Give us a good guess.

A Between ten and eleven must have got there.

Q Got back to Maxine's joint ten or eleven?

A No, sir, we got to DuLaveris' between ten and eleven, and you asked what time did we leave to start back for the joint, and I told you.

THE COURT: Now he says, "What time did you get back to the joint"?

A In the morning sometime.

BY MR. SAMMARCO:

Q Can you tell us about what time?

A No, I can't.

Q Now, at the time, as you claim, \$100.00 was paid to Ted Capp, who was present, aside from Christ Constance, Maxine, Ted and yourself?

A No one. There were other people in the bar room, but no one knew what we were doing.

Q Just answer the question, and I move that portion of the answer be stricken as not responsive.

THE COURT: Motion denied.

BY MR. SAMMARCO:

A Customers and bartenders.

Q Who were the bartenders?

A I don't remember exactly. I think one was Erv and Harry, I think. I am not sure.

Q When was Erv and the other was Danny Patsos?

A Danny wasn't tending bar, he was sitting at the bar, but he wasn't tending bar.

THE COURT: Erv and Harry was her answer.

A I think that was who it was. I am not sure.

BY MR. SAMMARCO:

Q Who is Harry?

A This fellow came up with Teddy.

Q And whatever transactions you had were had right over the bar, is that correct?

A No, sir.

Q How was this money handed to Ted?

A He came around through that door I was telling you about and came to our side of the bar and we all stood in sort of a circle, Teddy stood beside Maxine and that's when she gave him the money.

BY THE COURT:

Q You say Teddy stood beside Maxine and you stood between Maxine and Teddy?

A Yes.

Q And Christ stood between Maxine and Teddy. Do I understand you stood side by side or opposite each other?

A I stood beside Christ and Maxine beside Teddy.

Q So you were in a little square by yourself?

A Sort of a circle in a square.

BY MR. SAMMARCO:

Q Did you at any time step aside with Ted Cappand sit in a booth in a tavern?

A No, sir.

Q Positive of that?

A Positive.

Q As you said, you had been there seven or eight days before Ted Capp came up there in a second time, to see you, is that correct.

A No, sir, I stayed up there seven or none days before I started to work.

Q When is the first time after May 2nd when Ted Capp came up to see you?

A Several days after I started to work there.

Q That would be, then, about the 4th of May, is that correct?

A No, sir.

Q Let's understand each other. As I understand from your testimony Ted Capp didn't come in to see you after you were left in the place, until two or three days after you had started working, is that correct?

A That is correct.

Q You are positive of that?

A Yes, sir.

Q That would bring us down to about around the 11th or 12th of May, is that correct?

A Just about, I guess.

Q When he got up there, what happened?

A I let him in the door and we went to the kitchen.

Q That's the time you had this conversation about the forty dollars, is that correct?

A That's correct.

Q As you stated, you did a lot of figuring there?

A Maxine did the figuring.

Q You and Maxine and Ted were together?

A We were together.

Q Maxine did the figuring on the punch cards?

A Yes.

Q How much was taken out for your medical bill?

A I don't remember. About two or three dollars.

Q And the net that you had coming was exactly \$40.00, is that correct?

A Yes, sir.

Q And that was given to you?

A Yes, sir.

Q Did you say Ted demanded that \$40.00?

A Maxine told me to give it to him and I objected to it, and he said: "I am your pimp. I have to have your money."

Q When you say you objected to it, what was your form of objection?

A I told him I couldn't understand why he was supposed to get my money when I was working for it.

Q Did you know at the time whether or not Ted Gapp had given your friend Louis Fazio, or your pimp, Louis Fazio, the sum of \$40.00 in order to give you medical attention and care?

A No, sir, Louis wasn't my pimp then. Teddy was my pimp.

Q Louis was your pimp afterwards, wasn't he?

A Yes, sir.

Q I am just asking you that, again, do you know whether or not Ted Capp on the night you went to Maxine's, gave Louis \$40.00 so you could have a place to sleep and medical care? Do you know that?

A I don't know anything about it, sir.

Q How long did Ted Capp stay there the first time he came in?

A Just long enough to collect the money.

Q He left in a hurry?

A That's right.

Q When was the next time you saw Ted Capp again?

A Several days later.

Q That would bring us, then, to about the 15th of May, is that correct?

A I am not figuring by days, I can only tell you a few days, like several days, that's all I can tell you.

Q You testified the first time you saw him was about seven or nine days after you had gone into this house of prostitution?

A Yes.

Q That would bring us down to the 11th or 12th of May?

A That's correct.

Q And then several days later would take us up to about the 14th, is that correct?

A Just about.

Q Now, about the 14th of May, you stated Ted Capp was in to see you again?

A That's correct.

Q About what time of the day did he come in there?

A It was in the evening.

Q What time in the evening?

A Before 12:00.

Q Before 12:00 in the evening?

A I think it was.

Q Did you have any conversation the second time he was there?

A Nothing. He just came in and said: "How's business"?

Q What did you say?

A I didn't say anything.

Q Didn't you greet him or anything else?

A I said "Hello".

Q When he asked you "How is business", you said nothing?

A No, sir; I didn't like Teddy, so I didn't talk to him.

Q In fact you didn't like Teddy from the first day after you had gone up to this house of prostitution, is that true?

A That's true, because then I knew why he had put me there.

Q You and Maxine and Teddy had a conference this second

time he was there, is that correct?

A She figured up how much I had coming.

Q You were all together, were you not?

A Yes.

Q She did the figuring?

A That's right.

Q She did the paying?

A She handed him the \$35.00.

Q You didn't give him any money?

A I didn't get any money.

Q You say Maxine gave him the money?

A That's right.

Q Did she show you the tab with the punch holes in it
and show you what you had coming?

A No, all she did was figure it up. I didn't have anything to say about it.

Q Did you ask her any questions?

A NO, because every time I would ask her about anything
she would tell me it was none of my business.

Q What happened to those cards?

A She used to tear them up. When one of the girls turned
money in she would tear them up.

Q After each settlement, there was a new card?

A You had a different card for every night. She would
keep all of the cards from all of the different nights,

but when your pimp came up, you collected the money, she tore up the card and started saving them all over again.

Q These cards all had dates on them?

A Yes.

Q And the name of the girl?

A That's right.

Q After he got that \$35.00, I suppose he left immediately?

A Had a cup of coffee and left.

Q No conversation?

A I had to work, I didn't have time to talk.

Q In other words, during the entire time Ted Gapp was there, there was absolutely no conversation at all, except he said "Hello, how's business," and did he say "Goodbye"?

A No, sir, I didn't say "Goodbye" to him and he didn't say "Goodbye" to me. He just walked out.

Q When was the next time he saw you again?

A Several days later.

Q That would take us, then, to about the 16th?

A About the 16th or 17th.

Q How did that meeting come about?

A This convention that was in town, and I refused to put on that show.

Q What convention was in town?

A Junior Chamber of Commerce.

Q Did they come over to this house of prostitution?

A They did.

Q About how many of the boys came over to this house of prostitution?

A Enough for both parlors. All three parlors were filled, and I only recognized a few of the local trade.

Q When the boys came in, how many women were employed in that house of prostitution?

A I think four or five, including myself.

Q Were these girls there when the boys came in?

A We were all there.

Q About how many boys would you say came in?

A I don't know, but I know there was enough so the parlors of the whole house was packed.

Q Would you say over a hundred?

A No, I don't think there was quite that many.

Q Would you say over fifty?

A Yes, I would say over fifty.

Q About what time of the night did these boys come this place?

A Quite early in the evening.

Q About 7:00 or 8:00, what time would you say?

A About 7:00 or 8:00.

Q 7:30, did you say? Did you know anything about this show?

A No, I didn't.

Q Were you to do any singing?

A You don't sing in a house of prostitution.

Q You don't sing?

A No, not unless you want to do it for your own pleasure and comfort.

Q Did you ever sing for your pleasure and comfort in this house of prostitution?

A Yes, sir, when I do my work in the morning, when I make my bed I used to sing.

Q In fact you are a professional singer, aren't you?

A No, sir.

Q Haven't you ever been down to Chicago, singing in a night club?

A Yes, sir.

Q You were paid for that singing at this night club, were you not?

MR. KERSTEN: Let's get the time.

MR. SAMMARCO: It's a matter of impeachment, right after she got out of this house of prostitution.

Q Right after you got out of this house of prostitution you were singing in a night club in Chicago?

A No, sir, I came to jail.

Q Where were you in Chicago?

A That was a year ago last summer.

Q You were being paid for that?

A I was.

Q After this group got into the Old Colony Club, or whatever you call it, did they have dinner there?

A What do you mean?

A This group of Junior Chamber of Commerce boys?

A No, we don't serve meals. Played the Orthophonic, smoked and danced.

Q They danced with the girls?

A That's right.

Q Did you dance with anybody?

A Yes, sir.

Q You state that Maxine right after that asked you to put on a strip tease?

A That's right.

Q What is a strip tease?

A Take off your clothes and dance.

Q Something like the Dance of the Seven Veils?

A I don't know what the Dance of the Seven Veils is.

Q You objected to putting on any kind of a dance in the nude?

A I objected to it, yes, sir.

Q About what time of the evening did you object to indulging in this form of entertainment?

A About seven or eight o'clock.

Q Would you say around eight o'clock?

A I said around seven or eight o'clock.

Q Maxine made a call?

A She did.

Q And right after this call was placed you said Ted

Capp was up there?

A About two or three hours.

Q Were the boys still there?

A No, sir, some of them had gone. There was a new bunch in.

Q What?

A Some of the old boys had left. There was a new bunch in.

Q That was part of the I.O.C. organization?

A That's right.

Q What time did the new bunch come in?

A Around ten o'clock, something like that.

Q About how many of them came in there?

A They came in groups of tens and fives.

Q And Ted got up there about eleven o'clock, according to your way of figuring?

A Just about.